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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D. C.

Agricultural Conservation Program

North Central Region

PROCEDURE FOR NOTIFICATION OF ALLOTMENTS, YIELDS,  
AND PREMIUM RATES. CONSIDERATION OF APPEALS AND  
CORRECTION OF ERRORS.

## PART I.--PREPARATION OF THE NOTICE.

As soon as allotments, yields, and premium rates have been approved, a sufficient number of allotment notifications shall be prepared so that one may be forwarded to each person having an interest in the crops on the farm and one retained in the farm file in the county office. Care should be taken to enter the date that the form is mailed.

## PART II.--APPEALS AND CORRECTIONS.

A. Eligibility to Appeal.--Any person who has an interest in the crops grown on a farm as owner, operator, tenant, or sharecropper may appeal from any recommendation or determination of the county committee affecting the right to, or the amount of, his payment with respect to such farm. If an appellant is dissatisfied with the decision of the county committee, he may appeal to the State committee. If he is dissatisfied with the decision of the State committee, he may appeal to the Director of the North Central Division for a review of his case.

To be eligible for consideration, a written appeal must be filed within 15 days after notice of the applicable recommendation or determination is forwarded to or made available to the appellant by the county committee. To be eligible for consideration, any appeal from the decision of the county committee must be made to the State committee within 15 days after notice of the decision of the county committee is issued. Any request for a review of the decision of the State committee must be made to the North Central Division within 15 days after the notice of the decision of the State committee has been issued to the appellant.

Each person who has filed an appeal with the county committee shall be notified in writing of the time, date, and place for consideration of his appeal in order that he may be present and may be heard, if he so desires.

B. Consideration of Appeals by the County Committee.--After the notification forms are released, and especially during the appeal period, county and community committeemen should make every effort to inform farmers of the procedure followed in determining allotments, yields, and productivity indexes, in order that they may have a better understanding of the farm



program. A satisfactory explanation of these determinations on the part of the committee will often convince farmers that their farms have received fair consideration. However, no farmer should be denied an opportunity to file a written appeal.

Determination shall be made with respect to each appeal on the basis of individual merit. In each case the committeeman will review the procedure followed in making the determination to which the appeal relates. Any appeals on wheat yields or premium rates should be handled according to the Federal Crop Insurance appeal procedure. The county committee will grant appeals and approve changes only in those cases in which consideration of the appeal shows an error in data, mechanical computations, or committee determinations provided for in the listing procedure and related instructions.

If a farmer raises a question concerning any recommendation or determination made for his farm and if upon review an error (other than in committee judgment) is discovered, such a case may be handled as a correction.

If a farmer appeals for an upward adjustment on a special allotment, he may request that another special allotment be reduced. The county committee may grant such request if the farmer agrees in writing that the downward adjustment in any special allotment be applicable for all purposes during the balance of the program year.

When the investigation of an appeal includes a visit to the farm, the person representing the county committee should make a reasonable effort to interview the appellant.

The county committee will notify each appellant of its decision by individual letter within 15 days after the closing date for filing appeals. However, before the appellant is notified of the decision reached by the county committee, a representative of the State committee will review the appeal with the county committee to determine whether the recommendations of such committee were made in accordance with the applicable procedure.

In each case in which a change is made in any allotment, yield, or productivity index, the county committee shall include with such letter a new notification form marked "Revised." This letter shall set forth a brief description of the procedure used in making the determination, the reasons for approval or disapproval of the appeal, and shall state that if the appellant is dissatisfied with the decision of the county committee he may appeal to the State committee within 15 days. (NOTE: A form letter shall not be used for notifying appellants of the action taken by the county committee on appeals.)

C. Listing Appeals and Corrections.--Original data for all farms for which an appeal is granted or a correction is made will be listed on the applicable listing sheet and will be designated "Appeals and Corrections." The revision of any determination will be shown by striking through the



affected entry and entering the corrected entry in the line above. In a convenient column, the applicable word "appeal" or "correction" will be entered for each farm.

For each appeal considered by the county committee, including those not granted, a copy of the appeal letter and the county committee's reply should be filed in the county office.

The appeals and corrections sheet shall be transmitted to the State office immediately after the 15-day appeal period and, a representative of the State committee has approved the determinations made by the county committee.

D. Consideration of Appeals by the State Committee.--The State committee will examine the record of appeals and corrections submitted by the county office and will consider appeals filed by appellants who are dissatisfied with the decisions made by the county committee. If an error in the county committee determination is discovered in the State office, the record will be corrected and the county committee will be advised to forward a revised notification form to the persons interested in the farm. The State committee will also notify the county committee in writing of its approval or disapproval of the action taken by the county committee, in all cases except those in which the appeal is renewed. The appeals granted by the State committee shall be recorded on the "appeals and corrections" record previously prepared in the county office.

Regardless of the decision made, the State committee shall notify each appellant of its decision within 30 days after receipt of the appeal. This notification should state that if the appellant is dissatisfied with the decision of the State committee, he may appeal to the Director of the North Central Division within 15 days. In the case of an appeal which is granted, the State committee shall instruct the county committee to prepare and forward a "revised" notification form to the persons interested in the farm.

The "appeals and corrections" record previously submitted by the county committees shall be revised to include all appeals granted and corrections made by the State committee. The State committee will furnish the county committee with a revised copy of the "appeals and corrections" record. All revisions made as a result of appeals and corrections will then be transferred to the respective listing sheets.

E. Appeals from State Committee Decision.--If an appellant is dissatisfied with the decision of the county and State committees and renews his appeal with the Director of the North Central Division within 15 days after notice of the State committee's decision, the State committee shall forward, upon request, to the Director of the North Central Division one copy of each of the following.



1. Appeal to the county committee.
2. County committee's reply to appellant.
3. Appeal to the State committee.
4. State committee's reply to appellant.
5. Report of any representative of the State committee who is familiar with the case.
6. "Record of Appeal," which shall be a copy of the data shown on the listing sheet for the farm.
7. Any other pertinent correspondence or records.

The State and county committees will be notified of the decision of the Director on each appeal.

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